



తెలంగాణ రాజ పత్రము
THE TELANGANA GAZETTE
PART-I EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 215-A]

HYDERABAD, THURSDAY, JUNE 2, 2016.

NOTIFICATIONS BY GOVERNMENT

—X—

CONSUMER AFFAIRS, FOOD AND CIVIL SUPPLIES DEPARTMENT

(CS.I - CCS)

THE TELANGANA PULSES, EDIBLE OIL, EDIBLE OIL SEEDS (LICENSING, STORAGE AND REGULATION) ORDER, 2015.

[G.O.Ms.No. 26, Consumer Affairs, Food and Civil Supplies (CS.I-CCS), 2nd June, 2016.]

In exercise of the powers conferred by section 3 and 5 of the Essential Commodities Act, 1955 (Central Act 10 of 1955), read with G.S.R. No. 104(E) dated 15th February, 2002, G.S.R. No. 490(E) dated 16th June, 2003, Department of Consumer Affairs, Ministry of Consumer Affairs, Food and Public Distribution, New Delhi, G.S.R. No. 452 dated 25th October, 1972 and G.S.R. 800 dated 9th June, 1978 of Ministry of Food and Agriculture (Department of Food), S.O. No. 2642(E) dated 28th September, 2015 and S.O. No. 2857(E) dated 18th October of Department of Consumer Affairs, Ministry of Consumer Affairs, Food and Public Distribution, New Delhi and with the prior concurrence of the Central Government in the Ministry of Consumer Affairs, Food and Public Distribution, Department of Consumers Affairs vide File No.S-11/01/2015-ECR & E, Dt: 31.05.2016 the Governor of Telangana hereby makes the following Order namely:-

1. Short title, extent and commencement:

- (1) This Order may be called the Telangana Pulses, Edible Oil Edible Oil Seeds (Licensing, Storage and Regulation) Order, 2015.
- (2) It extends to the whole of the State of Telangana.
- (3) It shall come into force with immediate effect.

2. Definitions: In this order, unless the context otherwise requires.

a. "Collector" means the Collector of the district and includes Joint Collector in the district and the Chief Rationing Officer in the Twin Cities of Hyderabad and Secunderabad.

b. "State Government" means the State Government of Telangana.

c. "Commissioner" means the Commissioner of Civil Supplies, Government of Telangana.

d. "Bulk Consumer" means a hotel, a restaurant, halwai, an educational institution with hostel facilities, a hospital or a religious or charitable institution, Bakeries, Biscuit manufacturers, Confectionery manufacturing unit.

e. "Commission Agent" means the commission agent having, in the customary course of business as such agent, authority either to sell Scheduled Commodities or to consign Scheduled Commodities purpose of sale or to buy Scheduled Commodities.

f. "Dealer " means any person engaged in the business of purchase, movement, sale, supply, distribution or storage for sale of any of the commodities specified in the schedule-I whether as a wholesaler or retailer or producer or manufacturer or exporter but except importer, whether or not in conjunction with any other business and includes his representatives or agent."

g. "Dealer in pulses" means A person engaged in the business of purchase, sale and storage for sale of any pulses exceeding ten quintals of one pulses or twenty five quintals of all pulses taken together at one time.

h. "Edible Oil" means any oil used for cooking for human consumption and includes hydrogenated vegetable oils other than coconut oil.

i. "Dealer in respect of edible oilseeds and edible oils" means person, who engages himself in the business of purchase, sale or storage for sale of edible oilseeds or edible oils in quantity of more than **five quintals** of any one or all edible oils including hydrogenated vegetable oils taken together or **thirty quintals** of any one or all edible oilseeds including groundnut in shell taken together and includes a manufacturer of edible oils, but does not include agriculturalist / Ryot who stores the oil seeds produced by his personal cultivation or seed purpose.

j. "Pulses" means those indicated in Schedule-I to this Order, including Redgram (Tur), Blackgram (Urad), Greengram (Moong), Masur, Matar and Bengalgram (Gram) – wholegram and split (dals) thereof;

k. "Retailer" means a person who sells pulses (whole or split) to consumers directly;

l. "Scheduled Commodities" means any one or more of the commodities mentioned in the Schedule-I to this Order including products thereof other than husk and bran.

m. "Producer" means a person carrying on the business of milling of any of the pulses; by buying pulses for being processed by himself and selling the finished products to a wholesaler or through a Commission agent; or by doing any of the processes of milling or manufacturing on behalf of another, but does not include farmer / agriculturist who stores pulses for his personal cultivation or seed purpose.

n. "Producer in relation to edible oils" means a person carrying on the business of expelling, extracting or manufacturing or refining any edible oils:-

o. "Licensing authority" means:-

- (i) in relation to wholesalers, the District Supply Officer of the district concerned or such other Officer not below the rank of a Revenue Divisional Officer as the State Government may so appoint having jurisdiction over the place of business; and
- (ii) in relation to retailers in twin cities of Hyderabad and Secunderabad and Rangareddy district with urban agglomeration, the Assistant Supply Officer concerned and elsewhere (other than the above cities / urban agglomeration), the Tahsildar having jurisdiction over the place of business;

Provided that where a dealer applies for a Composite Licence for conducting both wholesale and retail business, the Licensing Authority empowered to grant wholesale licence shall also exercise the powers in respect of retail licence.

Provided further that each chain of Super Bazaar or Super Market in the State would be given wholesale licence where wholesale stocks are stored and each branch of super bazaar would be given a retail licence by the respective Licensing Authorities.

p. "Population" means population as determined in 2011 census.

q. "Primary Mandis" means a mandi where a farmer initially sells his Produce.

(a) by buying edible oilseeds for being processed by himself and selling the finished products through a wholesaler or through a commission agent,

or

(b) by doing any of the processes of extracting or manufacturing or refining on behalf of another.

r. "Super Bazaar or Super Market" means a commercial establishment where all the Scheduled Commodities required by consumers are sold under one roof and there can be a chain of such outlets either in the same city / town or in different cities / towns.

s. "Wholesaler" means a dealer who sells any Scheduled Commodity to retailers or to bulk consumers.

3. Issue and renewal of licence:-

- (1) Every application for a licence or renewal thereof shall be made to the licensing authority in Form A as prescribed in Schedule-III annexed to this Order.
- (2) Every licence issued, re-issued or renewed under this Order shall be in Form-B as prescribed in Schedule -III annexed to this Order.
- (3) Every application for renewal shall be made along with the licence before expiry of the period of licence.
- (4) The Licence may be renewed under special circumstances, if the application for renewal is received within one month of grace period subject to payment of fee i.e. fee for renewal of Composite licence (wholesale + retail) is Rs.500 (rupees five hundred only), for wholesale Licence Rs. 300/- (rupees three hundred only) and Rs.200/- (rupees two hundred only) for renewal of retailers licences. However, if an application for renewal of licence is made after one month grace period, the licence shall cease to be valid and the entire security deposit made as per sub- clause (1) of Clause (5) shall be forfeited.

Provided that where an application for issue of fresh licence has been received by the Licensing Authority and if the application is not rejected, or returned for valid reasons, within a month, the applicant can thereafter commence business and continue till such time his application for grant of licence is rejected.

Further provided that, the application seeking for issue of fresh licence or renewal or issue of duplicate licence received by the Licensing Authority or rejection cases, shall be disposed of within a period of one (1) month from the date of receipt of the applications. Under no circumstances the application for issue of renewal / duplicate licence shall be entertained by the Licensing Authority beyond the specified period of one (1) month.

4. Period of Licence and fee chargeable:-

- (i) Every licence granted under this Order shall be valid for a period of one year ending 31st March initially and may be renewed for a further for a period specified from time to time by the Government;
- (ii) The fees specified below shall be chargeable in respect of licence(s) namely:-

1. LICENCE FEES:-**(a). Composite licence for all Scheduled Commodities:**

| | Rs. | Ps. |
|--------------------------|---------|-----|
| (i) Wholesale and retail | 2250-00 | |
| (ii) Wholesale | 1500-00 | |
| (iii) Retail | 750-00 | |

(b). Foodgrains (Pulses)

| | |
|---------------|--------|
| (i) Wholesale | 600-00 |
| (ii) Retail | 300-00 |

(c). Edible oilseeds / Edible oils:

| | |
|---------------|--------|
| (i) Wholesale | 600-00 |
| (ii) Retail | 300-00 |

2. RENEWAL FEES:**(a) Composite licence for all Scheduled Commodities**

| | |
|--------------------------|--------|
| (i) Wholesale and retail | 500-00 |
| (ii) Wholesale | 300-00 |
| (iii) Retail | 200-00 |

(b) Foodgrains (Pulses)

| | |
|---------------|--------|
| (i) Wholesale | 200-00 |
| (ii) Retail | 100-00 |

(c) Edible oilseeds and Edible oils

| | |
|---------------|--------|
| (i) Wholesale | 200-00 |
| (ii) Retail | 100-00 |

3. DUPLICATE LICENCE FEES:-**(a) Composite licence for all Scheduled commodities :**

| | |
|--------------------------|--------|
| (i) Wholesale and Retail | 800-00 |
| (ii) Wholesale | 500-00 |
| (iii) Retail | 300-00 |

(b) Foodgrains (Pulses)

| | |
|---------------|--------|
| (i) Wholesale | 200-00 |
| (ii) Retail | 100-00 |

(c) Edible oil seeds and edible oils

| | | |
|------|-----------|--------|
| (i) | Wholesale | 200-00 |
| (ii) | Retail | 100-00 |

4. A separate licence shall be obtained by a dealer for each place of business except in respect of places of purchase.

(a) A producer (Miller) / Commission Agent shall take wholesale licence from the licensing authority.

(b) The holder of a licence may obtain a duplicate of the licence issued to him from the Licensing Authority, if the original is lost, destroyed or defaced.

5. Deposit of Security:-

- (1) Every person applying for licence under this Order shall, before such licence is issued to him, deposit the amounts indicated hereunder with the Licensing Authority for the due performance of the conditions subject to which the licence is granted.

| | <u>Wholesale</u> | <u>Retail</u> | <u>Composite</u> (Wholesale + Retail) |
|----------------------------------|------------------|---------------|--|
| Foodgrains including pulses | Rs.10,000-00 | Rs.5,000-00 | Rs.25,000-00 |
| Edible Oils and Edible Oil Seeds | Rs.5,000-00 | Rs.2,500-00 | Rs.10,000-00 |
| Composite Licence | Rs.10,000-00 | Rs.5,000-00 | Rs.25,000-00 |

Note: "The existing dealers who have paid the Security deposit at the rates prevailing prior to the coming into force of this order shall deposit the difference between the deposit already paid and the deposit as per the order".

Provided that nothing in this sub-clause shall apply to a shop run by the State Government undertaking or a Corporation wholly owned by the State Government under a Government Scheme.

- (2) The security may be in the shape of National Defence Certificates, National Savings Certificates and the like pledged, or cash deposited in Government Treasury of the district concerned for due performance of the terms and conditions subject to which the licence is granted to him.

Provided that nothing contained in this clause shall apply to the Wholesale Consumers Cooperative Societies, Primary Cooperative Stores and the Gram Panchayats running fair price shops.

6. Power to refuse to grant or renew of licence:-

The Licensing Authority may, after giving the applicant / dealer concerned an opportunity of stating his case and for reasons to be recorded in writing, refuse to grant or renew of licence.

7. Cancellation or suspension of a licence:-

- (1) No holder of a licence issued under this order or his agent or servant or any person acting on his behalf shall contravene any of the terms or conditions of the licence, and if any such holder or his agent or servant or any person acting on his behalf contravenes any of the said terms or conditions, then without prejudice to any other action that may be taken against him, his licence may be cancelled or suspended by an order in writing of the Licensing Authority.

Provided that no order for cancellation shall be made under this clause unless the licensee has been given reasonable opportunity of being heard in person against the proposed cancellation.

Provided further that if any dealer possessing a licence for more than one scheduled commodity contravenes any of the provisions of this Order in respect of one scheduled commodity the licence shall be suspended or cancelled in respect of that commodity only duly following the procedure and in such cases, fresh licence for the remaining period in respect of remaining commodity shall be issued by the Licensing Authority.

- (2) Notwithstanding anything contained in sub-clause(1) above where a licensee has been convicted by a court of law in respect of contravention of any Order made under Section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955) relating to any of the commodities mentioned in Schedule-I to this Order, the Licensing Authority shall by order in writing cancel his licence.

Provided that where such conviction is set aside in any appeal or revision, the Licensing Authority may, on application, in Form-'A' by the person whose licence has been cancelled, re-issue the licence to such person.

8. Forfeiture of Security Deposit:

- (1) Without prejudice to the provisions of sub-clause (4) of clause 3 and clause 7, if the Licensing Authority is satisfied that the licensee has contravened any of the conditions of the licence and that a forfeiture of the security is called for, the said authority may, after giving the licensee a reasonable opportunity of stating his case and being heard in person against the forfeiture, by order, forfeit, the whole or any part of the security deposit made by the licensee under sub-clause (1) of clause 5 of the Order.
- (2) Where the security deposit of a licensee or any portion thereof is forfeited, the licensee shall deposit the amount so forfeited.
- (i) Where no appeal against the order of forfeiture has been filed within thirty days from the date on which the order was communicated to him,

Or

- (ii) Where appeal against such order has been filed and dismissed, within seven days of the dismissal of appeal.
- (3) Upon due compliance by the licensee with all obligations under the licence, the amount of security or such part thereof, which is not forfeited as aforesaid, shall be returned to the licensee after the termination of the licence.

9. Disposal of stock when licence is cancelled or suspended:-

When licence issued under this Order is cancelled or suspended, the stocks of that scheduled commodity available with the licensee in respect of which contravention has taken place, shall be disposed of as per the directions of the licensing authority.

10. Restriction on possession of Scheduled Commodities:

With a view to ensuring the availability of scheduled commodities in the market and unlimited stocks are not being held by the dealers / millers in their business premises without releasing them into the markets, so as to have a salutary affect on the prices of scheduled commodities, no licensee shall either by himself or by any person on his behalf, store or have in his possession at one time the commodities in excess of the quantities specified below;

a) Pulses

| Place | Variety of pulses | Wholesaler (Qtls) | Retailer (Qtls) |
|------------------------------------|---|-------------------|-----------------|
| (a) Category "A" City Hyderabad | (i) Grams/Dals, Other than Bengalgram / Dal | 4000 | 125 |
| | (ii) Bengalgram/Dal | 1500 | 30 |
| | Total | 5500 | 155 |
| (b) Other Places | (i) Grams/Dals, Other than Bengalgram / Dal | 2500 | 100 |
| | (ii) Bengalgram/Dal | 1500 | 20 |
| | Total | 4000 | 120 |

If the producer is milling all or more than one pulse out of the above stock limits, he shall be entitled to have 1/5th of the limit has Bengalgram/dal and the remaining as other gram/dals.

Provided that the stocks limits specified for a wholesaler in Category 'A' Cities shall apply to a wholesaler in such primary mandi is situated in other categories of Cities as the State Government may, having regard to the location of such mandies or new mandies added to the list other relevant factors, from time to time, specify:-

Table: I**Stock limits for Producers / Millers dealing with Pulses:**

| Producer | Quantity of un milled pulses | | Quantity of stock of milled pulses | |
|--------------------|---|--|---|--|
| | (a) Producer who is carrying on business on the commencement of this order | (b) Producer who has commenced production after the commencement of this Order. | (a) Producer who is carrying on business on the commencement of this Order. | (b) Producer who has commenced production after the commencement of this Order. |
| 1 | 2(a) | 2(b) | 3(a) | 3(b) |
| Producer of Pulses | One twelfth of the maximum quantity of the Pulses used by him in any of the three years ending on the 30 th September, 2006. | For a period of one year from the date of commencement of his production one twelfth of the quantity of pulses that would be required for producing a quantity equal to his annual installed capacity. For the second and third year of his production, one twelfth of the quantity of Pulses that would be required for producing a quantity equal to his annual installed capacity and thereafter one twelfth of maximum of pulses used by him in any of the three years immediately after commencement of his production. | One-twenty-fourth of his maximum production in any of the three years ending on the 30 th September, 2006. | For a period of one year from the date of commencement of his production, one twenty fourth of the quantity equal to his annual installed capacity. For the second year and third year of his production 1/24 th of the quantity of pulses that would be required for producing a quantity equal to his annual installed capacity and thereafter 1/24 th of the maximum quantity of pulses used by him in any of the three years immediately after the commencement of his production. |

Provided further that where a dealer is also carrying on business as a producer or commission agent, he shall be entitled to retain the stock limits specified in this sub-clause for each such business if such business and accounts thereof are kept and distinct from one another.

A producer (Miller) who happens to be a wholesaler will be eligible for stock limits of pulses indicated in the table.

(b) Edible Oil Seeds & Edible Oils:

| | Wholesaler (in Qtls) | Retailer (in Qtls) | |
|--|-------------------------|-----------------------|--|
| (1) | (2) | (3) | |
| Edible oil seeds including Groundnut in Shell: | | | |
| 1) Hyderabad & Secunderabad. (with population of 10 Lakh and more) | 2250 | 150 | All edible oil seeds taken together |
| 2) Karimnagar and Warangal (with population 3 lakhs and more but less than 10 lakhs) | 1500 | 113 | For groundnut kernel or seed 75% of the limits specified shall apply |
| 3) Other areas not covered in (1) & (2) (with population of below 3 lakhs) | 1200 | 75 | |
| Edible Oils including Hydrogenated Vegetable Oils: | Wholesaler (in Qtls) | Retailer (in Qtls) | |
| 1) Hyderabad & Secunderabad | 900 | 100 | All edible oils including hydrogenated vegetable Oils |
| 2) Karimnagar and Warangal | 600 | 50 | |
| 3) Any other area | 375 | 30 | |

Provided that the stock limits specified for a wholesaler in the twin cities of Hyderabad and Secunderabad shall apply to a wholesaler in such **primary mandies** situated in other cities as the State Government may, having regard to the location of such mandies or other relevant factors, from time to time, specify:

Provided further that where a dealer is also carrying on business as a Producer or Commission agent, he shall be entitled to retain the stock limits specified in this sub-clause for each such business if such business and accounts thereof are kept separate and distinct from one another;

Provided also that no producer specified in Col. (1) of the table below shall store or have in his possession at any time edible oil seeds or mustard seeds, as the case may be, in excess of the quantity specified in the corresponding entry in column (2) of the said table and he shall not hold the finished stock in excess of the quantity specified in the corresponding entry in Col.(3) of the said table.

TABLE-II

**Stock limits for producer / millers dealing with Edible Oil /
Edible oil seeds**

| Producer | Quantity of un milled edible oilseeds or mustard seeds | | Quantity of stock of milled stock of edible oils including refined oil | |
|-------------------------|---|---|--|---|
| | (a) Producer who is carrying on business on the commencement of this order | (b) Producer who has commenced production after the commencement of this Order. | (a) Producer who is carrying on business on the commencement of this Order. | (b) Producer who has commenced production after the commencement of this Order. |
| 1 | 2(a) | 2(b) | 3(a) | 3(b) |
| Producer of edible oils | 1/8th of the maximum quantity of edible oilseeds used by him in any of the three years ending on the 31st day of March 2008 | For a period of one year from the date of commencement of his production, 1/8th of the quantity equal to his annual installed capacity. For the 2nd year and 3rd year of his production, 1/8th of the quantity of edible oilseeds that would be required for producing a quantity equal to his annual installed capacity and thereafter 1/8th of the max. quantity of edible oilseeds used by him in any of the three years immediately after the commencement of his production. | 1/24th of his maximum production in any of the three years ending on the 31st day of March 2008. | For a period of one year from the date of commencement of his production 1/24th of quantity equal to his annual installed capacity. For the 2nd and 3rd years of his production, 1/24th of the capacity equal to his annual installed capacity and thereafter 1/24th of the maximum of his production in any of the three years immediately after the commencement of his production. |

NOTE: For the purpose of computing the stock limit specified in columns (3a) and (3b) above, the raw oils (except solvent extracted oils) oils in process or in semi processed state and finished product shall be taken into consideration.

Provided also that where any quantity of edible oils or edible oilseeds is in transit, then, for the purpose of this sub-clause, such quantity shall not, during the period when such quantity is in transit, be deemed to have been included in the stocks of the dealer in whom the property in such quantity is retained during such transit in accordance with the terms of any contract or agreement in pursuance of which the quantity is put in such transit.

Provided also that nothing in this clause shall apply to a commission agent who does not retain any consignment of edible oil seeds or oils received by him for a period exceeding fifteen days from the date of its receipt.

11. Power of the State Government in special circumstances and issue of directions:-

(1) Government with the prior concurrence of Central Government shall exercise the power and issue a general or special order, when it is considered necessary or expedient to do so for securing the availability of the scheduled commodities at fair prices throughout the State and when the price rise is found to be abnormal, the State Government shall interfere with the trade and tackle the crisis situation and contain the prices of scheduled commodities so as to ensure that common man gets the supply of scheduled commodities without lot of hindrance on the part of trade and specify at which rate the scheduled commodities shall be bought and sold within the State. **Price fixation** shall be done after adding incidentals etc. keeping in view the Minimum Support Price for the commodities communicated by the Central Government during the respective crop year.

(2) The Government may issue instructions or directions by way of general or special order for undertaking de-hoarding operations to mitigate the rising trend of prices of scheduled commodities, in accordance with the provisions of this Order in the larger public interest, for distribution through Public Distribution System by evolving a separate distribution mechanism through Government Agencies. The dealers shall comply the orders of the Government.

(3) Without prejudice to the generality of the foregoing power, such directions may be issued to any dealer that any one scheduled commodity or all scheduled commodities put together may be sold to only such persons or institutions, through such Government Agencies, in such quantities and at such intervals as the Commissioner, Collector or the licensing authority may by general or special order, direct.

12. Directions to convert Edible Oil Seeds into Edible Oils:-

The Government, the Commissioner, the Collector or the Licensing Authority may, if considered necessary, direct that a dealer shall convert wholly or partly, edible oil seeds stored or held by him for the purpose of conversion into edible oils within a reasonable period.

13. Licensee not to purchase scheduled commodities at prices lower than the notified procurement price from farmers:-

Any person who holds a licence under this Order, or his agent or servant or any other person acting on his behalf and transacting business by purchasing scheduled commodities shall not purchase the scheduled commodities of fair average quality specifications at a price lower than the price notified, if any by the State Government or the Central Government.

14. Licensee not to sell schedule commodities at prices higher than maximum price fixed:-

The licensee shall not sell the scheduled commodities at a price higher than the maximum price, if any, fixed therefor, from time to time by the Central Government or by the State Government.

15. Appeal:

(1) Any person aggrieved by an order of the Licensing Authority refusing to issue, re-issue or renew a licence or canceling or suspending a licence or forfeiting the security deposit under the provisions of this Order, may within thirty days of the date of receipt by him of the Order, appeal:-

(a) to the Joint Collector if such order is that of the District Supply Officer or the Tahsildar in districts.

(b) to the Chief Rationing Officer, if such order is that of District Supply Officer (City) or Assistant Supply Officer, in respect of twin cities of Hyderabad and Secunderabad.

Provided that in case of cancellation of a licence by the licensing authority on the ground of conviction by a Court of Law, no appeal against such cancellation shall lie to the Appellate Authority;

(2) No order shall be passed in appeal unless the aggrieved person has been given an opportunity of stating his case in writing and being heard in person;

(3) Pending the disposal of an appeal, the appellate authority may direct that the order refusing to renew a licence or the order canceling or suspending a licence shall not take effect, until the appeal is disposed of.

16. Revision:-

(1) The State Government may on their own motion or on an application made to them, call for and examine the record of the subordinate officers to satisfy themselves, as to the regularity of such proceedings, or correctness, legality or propriety of any decision passed or made therein and if in any case it appears to the Government that any such decision or order should be modified, annulled or remitted for reconsideration, they may pass orders accordingly.

(2) No order prejudicial to any person shall be passed under sub-clause (1) above, unless such person has been given an opportunity of making his representations.

(3) The State Government may direct that the order refusing to renew a licence or the order canceling or suspending a licence shall not take effect, until the revision is disposed of.

17. Powers of entry, search, seizure etc:-

- (1) The Licensing Authority or any other officer of the Revenue/Civil Supplies Department not below the rank of Senior Assistant/U.D. Cadre or any Commercial Tax Inspector or any officer of Police Department not below the rank of Sub-Inspector in his respective jurisdiction, may with such assistance, if any, as he thinks fit or any Gazetted Officer of Vigilance and Enforcement Department;
- (a) require the owner, occupier or any other person in charge of any place, premises, vehicle, or vessel in which he has reason to believe that any contravention of the provisions of this Order or of the conditions of the licence issued there-under has been, is being or is about to be committed, to produce any books, accounts or other documents showing transactions relating to such contraventions.
 - (b) enter, inspect or break open and search any place or premises, vehicle or vessel in which he has reason to believe that any contravention of the provisions of this Order or of the conditions of the licence issued there-under has been, is being or is about to be committed.
 - (c) seize any books of accounts and documents which in the opinion of the licensing authority or as the case may be, the authorized officer, would be useful for or relevant to any proceedings under this Order and return such books of accounts and documents within three months from the date of such seizure to the person from whom they were seized after taking or causing to be taken extracts from or copies thereof as certified by the person in form "D".
 - (d) search, seize and remove stocks of all or any of the commodities mentioned in Schedule - I to this order in respect of which contravention has taken place; and the animals, vehicles, vessels or other conveyance used in carrying the said commodity in contravention of the provisions of this Order or of the conditions of the licence issued there under and thereafter take or authorize the taking of all measures necessary for securing the production of stocks of commodities and the animals, vehicles, vessels or other conveyance so seized before the Collector and for their safe custody pending such production.
- (2) The provisions of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) regarding search and seizure shall, so far as may be, apply to searches and seizures under this clause.

18. Marginal variations in the Stocks at the time of inspection of business premises:-

- (1) (i) Mistakes in mathematical totaling;
- (ii) If the stock register does not show the place from which the stock was brought or sent but the information is available from any other register or document;

- (iii) If the stock register could not be maintained for any particular day due to sickness, pressure of work or unavoidable circumstances;
- (iv) When the variation between the book and the ground stock is upto 0.5% on the stock available at the time of inspection.
- (v) In the course of the normal transaction, if the licensee forgets to mention either the licence number or date on the bill or memo.

In above cases marginal variations, rectifications of records shall be allowed at the time of inspection.

(2) RETAILERS AND WHOLESALERS:

- (a) Retail shops with an annual turnover of less than Rs.2 lakhs shall not be inspected by the Officers of the Vigilance and Enforcement, Revenue, Civil Supplies and Police Departments. However, for the purpose of source checking in connection with some other crime or in cases of specific complaints against the retailers for hoarding, black-marketing against etc., of essential commodities, such retail shops can be inspected and during such inspections variations if any shall be allowed upto half percent (0.5%) on the stock available at the time of inspection. Every retail dealer shall file a declaration to the licensing authority about the annual turnover within one month after every accounting year is over and obtain an acknowledgement from the licensing authority along with the official seal on the duplicate copy, and this shall be produced to the officials whenever they inspect his premises.
- (b) For violation of provisions of this Order such as failure to submit periodical "C" form returns, non maintenance of stock boards and non-exhibition of price lists, prosecution need not be launched. However, departmental action may be initiated. The statement indicating the details of stock transacted in every month submitted to the Commercial Taxes Department, a copy of the same should be submitted to Civil Supplies authority at the district level as "C" form return.
- (c) Producers and wholesale dealers in foodgrains, other than rice millers, shall be allowed a variation in stocks upto 5 (five) quintals or upto 10% (ten percent) of the ground stocks, whichever is less, at the time of inspection.
- (d) Wholesaler dealers in edible oils shall be allowed a variation of 2% (two percent) without any ceiling of the total stocks of edible oils at the time of inspection.
- (e) Producers in edible oils shall be allowed a variation in edible oils stocks upto 4% of the stocks at the time of inspection.
- (f) Producers and wholesale dealers in edible oil seeds shall be allowed a variation in stocks up to 5% (five percent) of the stocks, at the time of inspection.

- (g) Retail shops with an annual turnover of Rs.2 lakhs and above dealing with foodgrains, edible oilseeds and edible oils shall be allowed a variation upto 2% (two percent) of the stocks at the time of inspection without any ceiling.

(3) In respect of Pulses Dealers / Dall Mill / Godown premises:-

- (a) Keeping in view the different stages in manufacturing of dalls, the dall millers (Producers) should be allowed a variation of 2% between the ground balance and book balance at the time of inspection by the enforcement officials. The wholesalers shall continue to have the existing variation limit of 10% or 5 quintals whichever is less between book balance and ground balance at the time of inspection. However, the marginal variation of 2% has to be reckoned between ground balance and book balance in respect of each variety of pulses/dals and not on all pulses / dals put together.
- (b) In respect of the following types of mistakes/lapses/ omissions / irregularities by dealers and millers in pulses (which are only illustrative and not exhaustive in nature), it shall not be necessary to launch prosecution. However, administrative action under the Essential Commodities Act can be initiated. In case the omissions are found to be repetitive and there are reasons to believe that they are deliberate, appropriate action including launching of prosecution, may also be considered at the discretion of the competent authority by recording the reasons in writing:-
 - (i) Mistakes in mathematical totaling;
 - (ii) If the stock register does not show the place from which the stock was brought or sent but the information is available from any other register or document;
 - (iii) If the stock register could not be maintained for any particular day due to sickness, pressure of work or unavoidable circumstances;
 - (iv) When the variation between the book and the ground stock is insignificant;
 - (v) In the course of the normal transaction, if the licensee forgets to mention either the licence number or date on the bill or memo;
- (c) For violation of provisions of this Order such as failure to submit periodical "C" form returns, non maintenance of stock boards, and non- exhibition of price lists, prosecution need not be launched. However, departmental action may be initiated. The statement indicating the details of stock transacted in every month submitted to the Commercial Taxes Department, a copy of the same should be submitted to Civil Supplies Authority at the district level as "C" form return.

19. Repealing and Savings:-

Nothing contained in this order shall affect;

- (i) the purchase, sale or storage for sale of scheduled commodities under this Order on Government account or the Telangana State Civil Supplies Corporation, or the Girijan Cooperative Corporation or Telangana Markfed.
- (ii) the sale by banks of stocks hypothecated to them, provided that the commodity is sold in accordance with the terms and conditions applicable to the hypothecators.

20. Validity of this order:-

This order shall remain in force concurrently with the validity of the Central Order issued in S.O.No.2642(E), Dt: 28.09.2015 and S.O.No. 2857(E), Dt: 18.10.2015 up to 30th day of September, 2016 for Pulses, Edible Oil and Edible Oil Seeds by virtue of which, the words and impressions made in respect of purchase, movement, sale, supply distribution or storage for sale, in the "Removal of (Licensing requirements Stock Limits and Movement Restrictions) on Specified Food Stuffs Order, 2002 (issued vide order number G.S.R 104(E) dated 15th February, 2002 and subsequently amended vide order number G.S.R No. 490(E) dated 16th June, 2003) have been kept in abeyance for aforesaid essential commodities.

DR. RAJAT KUMAR,

Ex-Officio Principal Secretary to Government.

Schedule-I
[(See Clause 2(E & F))]

1. Edible Oils and Edible Oilseeds
2. Pulses:
 - (i) Redgram (whole or split)
 - (ii) Greengram(whole or split)
 - (iii) Blackgram (whole or split)
 - (iv) Bengalgram (whole or split)
 - (v) Masurgram(Whole or split)
 - (vi) Maturgram(Whole o split)

Schedule-II
(See clause 2(I))

PULSES

1. Category "A" : Hyderabad &
(having a population of 10.00 lakh and above) : Secunderabad
2. Category "B" :
(having a population of 3.00 lakhs and above
but less than 10.00 lakhs)
3. Category "C" :
Areas other than mentioned in Category
(Other Areas with population below 3 lakh) "A" and "B"

Edible Oils

1. Category "A" : Hyderabad &
(having a population of 10.00 lakh and above) : Secunderabad
2. Category "B" :
(having a population of 3.00 lakhs and above
but less than 10.00 lakhs)
3. Category "C" :
Areas other than mentioned in Category
(Other Areas with population below 3 lakh) "A" and "B"

Schedule - III
(See Clause 3(i))

FORM - A

The Telangana Pulses, Edible Oil Edible Oil Seeds (Licensing, Storage
and Regulation) Order, 2015

Application for grant / renewal of licence

1. Applicant's name
2. Applicant's profession
3. Applicant's residence
4. Situation of applicant's place of business with particulars as
to number of house, mohalla, town or village, police station and
district.

5. How long has the applicant been trading in the commodities for which licence is applied for?
6. Did the applicant hold for the commodity, licence on any previous occasion? If so give particulars including its suspension or cancellation if any.
7. Quantity of each scheduled commodity handled annually during the last three years.
8. Quantity of scheduled commodities likely to be handled during the Current year.
9. Income Tax paid in the two years preceding the year of application (to be indicated separately).
10. (a) Quantity of scheduled commodities in the possession of the applicant on the date of application and the places at which the different quantities are kept (Separate figures are to be given for each variety)

(b) Complete address of places where the scheduled commodities are proposed to be stored

I declare that the quantities of scheduled commodities specified above are in my possession this day and are held at the places noted against them.

I have carefully read the conditions of licence given in Form B appended to the Telangana Pulses, Edible Oil Edible Oil Seeds (Licensing, Storage and Regulation) Order, 2015 and I agree to abide by them.

* (a) I have not previously applied for such licence in this District for Scheduled Commodities now applied for

* (b) I applied for such licence in this District for on _____ and was/was not granted licence on _____.

* (c) I hereby apply for renewal of licence No. _____ dated issued to me on _____ which is enclosed.

* (d) I enclose herewith the challan bearing No. _____ dated _____ for Rs. _____ paid into the Sub-treasury _____ Bank _____ towards licence / renewal fee.

* (Strike off the clauses not applicable)

Place :
Date :

Signature of the Applicant

Form - B

[See Clause 3 (ii)]

Licence for purchase, sale / storage for sale of Scheduled Commodities

Licence No. _____

Retailer / Wholesaler
 Both retailer and wholesaler
 Producer
 "Producer, Wholesaler and
 Commission Agent"

1. Subject to the Provisions of the Telangana Pulses, Edible Oil Edible Oil Seeds (Licensing, Storage and Regulation) Order, 2015 and the terms and conditions of this licence Sri/Ms. _____ is/are hereby authorized to purchase, sell, or store for sale the under mentioned commodities as Retailer / Wholesaler / both Retailer and Wholesaler, Producer/both Producer & Wholesaler.
- _____
- _____

2. (a) The licensee shall carry on the aforesaid business at the following place :
- _____
- _____

- (b) Commodities in which the aforesaid business to be carried on shall not be stored at any place other than the place of business noted in condition 2(a) above or any of the godown mentioned below :
- _____
- _____

Note: - If the licensee intends to store his commodities in places other than those specified in the licence, he shall apply to the licensing authority, producing the licence for making requisite changes therein by the licensing authority. The licensing authority shall issue permission within 48 hours from the time of receipt of such application for occupying new godowns. If such permission is not received by the applicant within the said time, it shall be deemed that the applicant has been permitted to occupy the new godowns.

(c) The licensee shall take adequate measures to ensure that the commodities stored by him are maintained in proper condition and that damage to the commodities due to ground moisture, rain, insects, rodents, birds, fire and such other causes are avoided. Suitable dunnage shall be used to avoid damage from ground moisture and foodgrains shall be fumigated with chemicals approved for the purpose by persons who have undergone practical training in that regard. The licensee shall also ensure that fertilizers, insecticides and poisonous chemicals likely to contaminate are not stored along with the commodities in the same godown or in immediate juxtaposition of stocks.

3. (i) The licensee shall except when specially exempted by the State Government or by the licensing authority in this behalf, maintain a register of daily accounts for each commodity mentioned in condition - (1), showing correctly:-

- (a) the opening stock on each day;

- (b) the quantities received on each day showing the place from where and the source from which received.
 - (c) the quantities delivered or otherwise removed on each day showing the places of destination; and
 - (d) the closing stock on each day.
- (ii) The licensee shall enter the particulars referred to in item (b) and item (c) of sub-clause (i) above in the register as soon as the relevant transaction takes place.
- (iii) The licensee shall complete his accounts for each day on the day to which they relate.
- (iv) A licensee who is a producer himself should separately show the stock of his own produce in the daily account, if such stocks are stored in his business premises.
- (v) The licensee shall keep in the business premises mentioned in condition -2, all the records and books relating to the transactions of purchase, sale or storage for sale, so as to make them readily available to the inspecting officers for check.
4. The licensee shall, except when specially exempted by the State Government in this behalf, submit separately for each licence held by him to the licensing authority concerned a true return, in Form - C of the stocks, receipts and deliveries of such of the commodities every month so as to reach him within five days after the close of the month.
5. The licensee shall not contravene the provisions of the Telangana Pulses, Edible Oil Edible Oil Seeds (Licensing, Storage and Regulation) Order, 2015 or any other Order relating to foodstuffs, or edible oilseeds or edible oils issued under the Essential Commodities Act, 1955 (Central Act 10 of 1955).
6. The licensee shall not, contravene the provisions of any law relating to foodstuffs or edible oilseeds or edible oils for the time being in force.
7. The licensee shall not:-
- (i) enter into any transaction involving purchase, sale or storage for sale all or any of the scheduled commodities in a speculative manner, prejudicial to the maintenance and easy availability of supplies of scheduled commodities in the market.
 - (ii) withhold from sale supplies of scheduled commodities ordinarily kept for sale, or
 - (iii) charge, in respect of any sale of scheduled commodities made by him a price in excess of that calculated, when the rate of sale by such licensee is fixed by the Central Government or the State Government in pursuance of the powers conferred by any law for the time being in force, or by the producer.
8. (1) Every licensee shall exhibit at the entrance or some other prominent place of his business, the price list of scheduled commodities held for sale,

(2) A price list of scheduled commodities specified in clause (1):-

(a) shall be exhibited in plain and legibly written English language or in the chief language of the district concerned.

(b) shall include separately the prices of different classes or varieties of scheduled commodities; and

(c) shall bear the signature of the licensee with date.

Explanation :- In this clause, the expression 'written' includes printing, lithography and other modes of representing or reproducing words in a visible form.

(3) The prices indicated in the price - list shall at no time exceed those at which the licensee shall sell or offer to sell in any locality, any scheduled commodity under condition 7(iii).

9. The licensee shall, except when specially exempted by the State Government or by the licensing authority in this behalf, issue to every customer a correct receipt or invoice, as the case may be, giving his own name, address and licence number and the name, address and licence number (if any) of the customer, the date of transaction, the quantity sold, the price per quintal and the total amount charged and shall keep a duplicate of the same to be available for inspection on demand by the licensing authority or any officer authorized by him in this behalf.

10. The licensee shall give all facilities at all reasonable times to the licensing authority or any officer of the Revenue/Civil Supplies Department not below the rank of U.D. cadre, for the inspection of stocks and accounts of any shop, godown, or other place used by him for the storage, sale or purchase of scheduled commodities and for the taking of the samples thereof for examinations.

11. The licensee shall comply with any direction that may be given to him by the State Government or the Licensing Authority in regard to purchase, sale or storage for sale of scheduled commodities and in regard to the form and language in which the registers, return, receipts, or invoices or price lists mentioned in conditions 3, 4, 8, or 9 shall be written and the authentication and maintenance of the registers mentioned in condition 3.

12. The licensee shall in case where he functions in regulated market, abide by such instructions relating to his business as are given by the marketing authority having jurisdiction and in any other case by such body as may be recognized by the State Government in this behalf.

13. This licence shall be surrendered to the Licensing Authority when it has expired or is no longer required by the licensee.

14. The licence shall not be transferred to any other person by the person to whom it is issued and in case of change in the ownership, a fresh licence shall be obtained by the person who acquires such ownership.

15. The licence shall be valid upto _____.

Place: _____ Signature of the Officer
Date: _____ issuing the licence

FORM - C
(For use by a dealer)
(See condition 4 of Form - B)

Return of stocks, receipts and sales of scheduled commodities for the month ending ____20

Name

No. of licence

Address
.....
.....

Particulars of godowns where stock heldvariety of scheduled commodities

| Particulars | Foodgrains (pulses) | Edible oils & edible oil seeds | Remarks |
|--|---------------------|--------------------------------|---------|
| 1. Stock at the beginning of the month | | | |
| a. Actually with the licensee | | | |
| b. Pledged with any person or institution. (such as a bank or coop. society) | | | |
| TOTAL | | | |

2. Quantity purchased during the month and the sources of supply.

Note: Information in respect of the "Source of supply" shall be furnished by the licensee indicating the market or markets and the quantity purchased from each market. He need not give details of the names of each such dealer and of the quantity purchased from each such dealer unless in any single case he has purchased a quantity of 200 quintals or more.

3. Quantity received out of quantity purchased:

| From | Quantity in bags / quintals | | Date of purchase |
|--------------|-----------------------------|---------------------------------|------------------|
| | Foodgrains (pulses) | Edible oilseeds and edible oils | |
| (i) | | | |
| (ii) | | | |
| (iii) | | | |
| (iv) | | | |
| Total | | | |

4. Quantity sold
- (a) Quantity sold during the month
- (b) Quantity sold but not yet delivered
- Total Sold: _____
5. Stock at the end of the month _____
- (a) actually with the licensee
- (i) unsold
- (ii) sold but waiting delivery

(b) Pledged with any person or institution such as a bank or co-operative Society:

Total: _____

To
The Licensing Authority

..... District.

Place :

Signature.

Date :

Licence No.

FORM - D
(See Clause 17 (1) (c))

The Telangana Pulses, Edible Oil Edible Oil Seeds (Licensing, Storage and Regulation) Order, 2015

I hereby certify that this extract from
.....
of this copy of is the true extract from or
copy of the original.....seized from me
on and returned to me on

Place :

Signature of the person concerned

Date :

-- X --